THE HON'BLE MR. JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 13630 OF 2005

DATED: 22-08-2005

Between

Thumma Anthony Reddy, S/o Late Show Reddy,

Aged 51 years, Occupation: Teacher,

R/o C/13/1, BHEL Colony, Opp: Loyala Academy,

Old Alwal, Ranga Reddy District.

..... PETITIONER

And

1. Commissioner of Police, Cyberabad,

Ranga Reddy District and another.

..... RESPONDENTS

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THE HON'BLE MR. JUSTICE B. SUDERSHAN REDDY

WRIT PETITION NO. 13630 OF 2005

ORDER:

The grievance of the petitioner in this writ petition is that the 2nd respondent (Station House Officer, Alwal Police Station) is interfering with the construction activity carried on by him in the property owned by him and on permission having been obtained from the Alwal Municipality. It is stated in the affidavit that the petitioner had purchased the property bearing house No. 4-64/D on plot Nos. 2 and 4 in Sy.No.131 of Macha Bolaram under Alwal Municipality, Malkajigiri Mandal admeasuring 900 square yards, for a valuable consideration vide registered document No. 2841/2004 dated. 09-08-2004. The petitioner applied for permission, to construct house in the said property, to the Alwal Municipality and on being granted sanction vide proceedings dated 02-04-2005, the petitioner commenced construction. It is alleged, the 2nd respondent started interfering with his construction activity alleging that he had received certain complaints from third parties. The petitioner contends that the 2nd respondent had sent police constables to the site asking him to stop construction. It is also alleged that the petitioner was called to the police station and was orally told that complaints have been received from third parties. The petitioner contends that the 2nd respondent has no manner of right to interfere with the lawful construction activity being carried on by him.

Counter affidavit is filed by the 2nd respondent – Inspector of Police, Alwal Police Station wherein the allegations made in the affidavit are denied. It is stated that no complaints whatsoever had been received against the construction being carried on by the petitioner and as such, the question of calling him or harassment did not arise. It is also stated that no case has been registered or pending against the petitioner as on date. It is further stated that the 2nd respondent did not send any of his staff to the petitioner's site for stopping construction at any point of time nor was the petitioner harassed.

In view of the categorical averments in the counter affidavit that no complaint has been received with regard to the construction activity being carried on by the petitioner nor is there any interference or harassment meted out by the police officials, the cause in the writ petition no longer survives. The Writ Petition is accordingly dismissed. There shall be no order as to costs.

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